

ORDINANCE No. 2006 – 09-90

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, APPROVING THE MIAMI GARDENS TOWN CENTER ZONING DISTRICT ("TCZD"); PROVIDING FOR A DISTRICT BOUNDARY CHANGE OF ZONING FROM O.P.D., RU-1, RU-4A, RU-5A, BU-1, BU-1A, BU-2 AND GU TO TCZD FOR PROPERTIES GENERALLY LOCATED AT THE FOUR QUADRANTS OF THE INTERSECTION OF NORTHWEST 27TH AVENUE AND NORTHWEST 183RD STREET, MORE PARTICULARLY DESCRIBED ON EXHIBIT "A" ATTACHED HERETO; APPROVING A PURPOSE; LOCATIONAL STANDARDS; PERMITTED USES; CONDITIONAL USES; PROHIBITED USES; SUBDISTRICT DESIGNATION DEFINITIONS; BUILDING PARAMETERS; A STREET FRONTAGE PLAN; A TYPICAL STREET SECTIONS PLAN; BASE RIGHT-OF-WAY AND BUILD-TO-LINE SETBACKS; BUILDING HEIGHT REQUIREMENTS; BUILDING HEIGHT VERTICAL INCREMENTAL SETBACKS; SITE DEVELOPMENT STANDARDS; PUBLIC PLAZA REQUIREMENTS; MAXIMUM DWELLING UNIT DENSITY REQUIREMENTS; MINIMUM UNIT SIZE; LOT COVERAGE; LANDSCAPED OPEN SPACE REQUIREMENTS; AFFORDABLE HOUSING REQUIREMENTS; MINIMUM DESIGN STANDARDS FOR SIDEWALKS, PEDESTRIAN AMENITIES, ENTRANCES, WINDOWS, BALCONIES, LANDSCAPE AND OPEN SPACE, TREES, PALMS, AND SHRUBS; SIGN DESIGN PARAMETERS; PROVIDING FOR ADOPTION OF REPRESENTATIONS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR INCLUSION IN CODE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council for the City of Miami Gardens ("City") has designated the four (4) quadrants of the intersection of Northwest 27th Avenue and Northwest 183rd Street as the City's Town Center area, and

WHEREAS, the City imposed a moratorium for a period of approximately 11 months to permit City staff and the City's Planning and Zoning Consultant, Calvin Giordano and Associates, to study the area and to propose standards for the area, and

WHEREAS, after numerous neighborhood charrettes and workshops with the public, the City Council, Calvin Giordano, along with City staff, has proposed certain regulations for the Town Center's Zoning District, and

WHEREAS, the City Council would like to adopt and approve those regulations, and

WHEREAS, the report of Calvin Giordano included with the staff report attached hereto as Exhibit "B," and incorporated herein by reference,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS, FLORIDA, as follows:

SECTION 1. ADOPTION OF REPRESENTATIONS: The foregoing Whereas Clauses are hereby ratified and confirmed as being true, and the same are hereby made a specific part of this Ordinance.

SECTION 2. ESTABLISHMENT OF THE TOWN CENTER ZONING DISTRICT: The City Council of the City of Miami Gardens hereby establishes the Town Center Zoning District as follows:

The Town Center District Regulations Are Attached Hereto As Exhibit "C"

And Incorporated Herein By Reference

SECTION 3. CONFLICT: All ordinances or Code provisions in conflict herewith are hereby repealed.

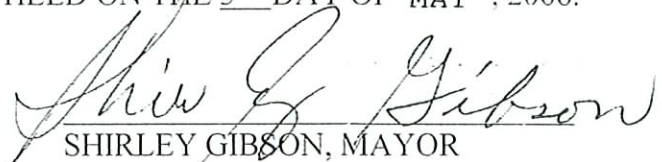
SECTION 4. SEVERABILITY: If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 5. INCLUSION IN CODE: It is the intention of the City Council of the City of Miami Gardens that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Miami Gardens and that the sections of this Ordinance may be renumbered or relettered and the word "Ordinance" may be changed to "Chapter," "Section," "Article" or such other appropriate word or phrase, the use of which shall accomplish the intentions herein expressed; provided, however, that Section 1 hereof or the provisions contemplated thereby shall not be codified.

SECTION 6. EFFECTIVE DATE: This Ordinance shall become effective immediately upon its final passage.

PASSED ON FIRST READING ON THE 5<sup>TH</sup> DAY OF APRIL, 2006.

ADOPTED AND PASSED BY THE CITY COUNCIL OF THE CITY OF MIAMI GARDENS AT ITS REGULAR MEETING HELD ON THE 3<sup>RD</sup> DAY OF MAY, 2006.

  
SHIRLEY GIBSON, MAYOR

ATTEST:

  
RONETTA TAYLOR, CMC, CITY CLERK

Prepared by SONJA KNIGHTON DICKENS, ESQ.  
City Attorney

SPONSORED BY: **DANNY O. CREW, CITY MANAGER**

MOVED BY: Vice Mayor Braynon

SECONDED BY: Councilman Harvard

VOTE: 6-1

Mayor Gibson	<u>x</u> (Yes)	<u>  </u> (No)
Vice Mayor Oscar Braynon, II	<u>x</u> (Yes)	<u>  </u> (No)
Councilman Melvin L. Bratton	<u>x</u> (Yes)	<u>  </u> (No)
Councilman Aaron Campbell	<u>x</u> (Yes)	<u>  </u> (No)

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Councilman Ulysses Harvard  
Councilwoman Sharon Pritchett  
Councilwoman Barbara Watson

<u>x</u> (Yes)	<u>  </u> (No)
<u>  </u> (Yes)	<u>x</u> (No)
<u>x</u> (Yes)	<u>  </u> (No)

SKD/bfc